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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

NUTS FOR CANDY, A Sole Proprietorship,  
individually and on behalf of all others  
similarly situated,

Plaintiff,

v.

GANZ, INC. and GANZ U.S.A., LLC,

Defendants.

Case No. CV 08 2873 JSW

**STIPULATION AND [PROPOSED]  
ORDER TO MODIFY BRIEFING  
SCHEDULE ON PLAINTIFF'S  
MOTION FOR APPOINTMENT OF  
INTERIM LEAD COUNSEL**



Date: October 10, 2008  
 Time: 9:00 a.m.  
 Judge: Hon. Jeffrey S. White  
 Ctrm: Courtroom 2, 17th Floor

**IT IS HEREBY STIPULATED AND AGREED** between Plaintiff Nuts for Candy and Defendants Ganz, Inc. and Ganz U.S.A., LLC, by and through their counsel of record, and pursuant to Local Rule 6.1(b) of the United States District Court for the Northern District of California, that Defendants' time to respond to Plaintiff's Motion for Appointment of Interim Lead Counsel ("Motion") is extended from August 5, 2008 to, and including, August 8, 2008.

The parties' request that the Court modify its Order Setting Briefing Schedule, dated July 22, 2008, will not affect a hearing or proceeding on the Court's calendar since the hearing on Plaintiff's Motion is set for October 10, 2008.

The parties make this request based on the fact that Defendants filed their Motion to Dismiss Plaintiff's Complaint on August 4, 2008 and the parties agree that Defendants should have additional time to consider Plaintiff's Motion.

The parties further agree that Defendants' response to Plaintiff's Motion shall be filed no later than August 8, 2008 and Plaintiff's reply brief shall be filed no later than August 15, 2008.

Dated: August 5, 2008

By: /s/ (with permission)  
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Dated: August 5, 2008

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**ORDER**

Based on the foregoing Stipulation of the parties and the facts set forth therein, the Court finds good cause to enter the parties' requested Order.

Accordingly, (1) Defendants shall have until, and including, August 8, 2008 to file a response to Plaintiff's Motion for Appointment of Interim Lead Counsel; and (2) Plaintiff shall have until, and including, August 15, 2008 to file a reply brief to Defendants' response.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Jeffrey S. White  
United States District Judge

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BAKER & HOSTETLER LLP  
ATTORNEYS AT LAW  
LOS ANGELES